

JACOBINI CHARLES  
77 BUENOS AIRES 4638

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ACTION ARA-14  
INFO OCT-01 ISO-00 EB-07 DHA-02 CIAE-00 DODE-00 PM-04  
H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01  
SP-02 SS-15 USIA-06 AID-05 ACDA-07 OMB-01 TRSE-00  
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FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC 1040

~~CONFIDENTIAL~~ SECTION 1 OF 2 BUENOS AIRES 4638

E.O. 11652: GDS

TAGS: PORC, SHUM, AR, US, EFIN

SUBJECT: GOA NOTES HUMAN RIGHTS IMPROVEMENTS

REF: (A) STATE 138380, (B) BUENOS AIRES 4444, (C) BUENOS AIRES 4483

SUMMARY: AS ANTICIPATED, IN DEMARCHES BY MARTINEZ DE HOZ IN

BUENOS AIRES (REFTEL B) AND AMBASSADOR AJA ESPIL IN

WASHINGTON (REFTEL A), ARGENTINE OFFICIALS ANNOUNCED A

NUMBER OF ACTIONS: JUNE 14 THAT BEAR ON THE COUNTRY'S HUMAN

RIGHTS IMAGE OVERSEAS. THESE ANNOUNCEMENTS INCLUDE THE RELEASE

OF 342 PERSONS FROM EXECUTIVE CUSTODY, PROCESSING OF ALMOST

1,000 SUBVERSIVE CASES, IN FEDERAL AND MINISTRIAL COURTS,

POSSIBLE REINSTATEMENT OF THE CONSTITUTIONAL RIGHT OF

OPTION TO LEAVE THE COUNTRY, AND BANNING OF TWO ISSUES

OF A FAR RIGHT, RACIST MAGAZINE. WHILE THE ANNOUNCEMENTS IN

THEMSELVES SHOW LITTLE BY WAY OF CERTIFIABLE SUBSTANTIVE

CHANGE IN GOVERNMENT HUMAN RIGHTS PRACTICES, THE

GOVERNMENT'S DECISION TO COMPILE EXAMPLES OF HUMAN RIGHTS

IMPROVEMENTS DEMONSTRATES ITS RISING SENSITIVITY TO THE

SERIOUSNESS OF THE U.S. HUMAN RIGHTS POSITION AND OUR

ADVERSE VOTES IN INTERNATIONAL FINANCIAL INSTITUTIONS.

END SUMMARY

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1. AS NOTED IN REFTEL B, GOVERNMENT OF ARGENTINA'S (GOA'S)

PRESENTATION OF HUMAN RIGHTS IMPROVEMENTS DEMONSTRATES BASICALLY

FRIENDLY GESTURES AND INCREASED CONCERN ON THE PART OF GOA

OFFICIALS TO MAINTAIN POSITIVE AND CONSTRUCTIVE RELATIONSHIP IN

RESPONSE TO U.S. REPRESENTATIONS ON HUMAN RIGHTS QUESTION. THE

LIST OF ACTIONS TAKEN, HOWEVER, SHOWS LITTLE SUBSTANTIVE CHANGE.

AS ANTICIPATED, THE GOA ACTIONS AND COMMUNIQUE WERE RELEASED

JUNE 14 AND PUBLISHED IN JUNE 15 PRESS.

2. AS A 15-DAY COMPENDIUM THE LISTING OF 342 PERSONS CITED AS

NO LONGER BEING HELD AT THE DISPOSITION OF THE EXECUTIVE IS

CONSIDERABLY LARGER THAN THE TYPICAL WEEKLY LISTS PUT OUT BY

THE INTERIOR MINISTRY. FURTHER, THERE IS NO WAY IMMEDIATELY

TO VERIFY THAT PERSONS LISTED HAVE ACTUALLY BEEN RELEASED.

(MARTINEZ DE HOZ DID, HOWEVER, TELL CHARGE THAT THE PERSONS

LISTED WERE DEFINITELY BEING PHYSICALLY RELEASED FROM

DETENTION AND NOT JUST PASSED TO OTHER AUTHORITIES.)

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Department of State, A/GIS/IPS/SRP

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Date 10-19-16

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3. AS FOR SPECIFIC CASES, THREE OF THE NAMES WERE FAMILIAR--  
DAVID DIVINSKY AND HIS WIFE ANA MARIA MILER, BOOK PUBLISHERS  
LISTED AS RELEASED FROM EXECUTIVE CUSTODY FOR SUBVERSIVE  
CRIMES; AND JUAN CARLOS ROUSSELOT, LISTED AS RELEASED FROM  
CUSTODY FOR ECONOMIC CRIMES. AS OF JUNE 16, NEITHER MILER NOR  
DIVINSKY HAS YET BEEN RELEASED ACCORDING TO FAMILY FRIENDS. WE  
ARE TRYING TO VERIFY THESE CASES AS POSSIBLE INDICATORS AS TO  
USUAL FATE OF LISTED PERSONS. SINCE THE LISTS BEGAN BEING  
PUBLISHED WEEKLY IN JANUARY, WE HAVE VERIFIED AND REPORTED  
SEVERAL ACTUAL RELEASES, ALTHOUGH MANY EMBASSY SOURCES,  
INCLUDING VISITORS AND REPRESENTATIVES OF CHURCH AND HUMAN  
RIGHTS GROUPS, CLAIM THAT THE MAJORITY OF PERSONS LISTED REMAIN  
IN DETENTION. (THIS COULD RESULT PARTIALLY FROM DEFIANCE OF  
INTERIOR MINISTRY ORDERS, AND PARTLY FROM BUREAUCRATIC  
INCOMPETENCE OF FEDERAL AND MILITARY PRISON AUTHORITIES.)

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PERMANENT ASSEMBLY DIRECTOR JOSE WESTERKAMP (WHO HOSTED  
PATRICIA DERIAN'S MEETING WITH ASSEMBLY IN MARCH) TOLD EMOFF  
ON JUNE 14 ABOUT THE PARTICULAR CASE OF A BOY JAILED WITH  
WESTERKAMP'S SON IN SIERRA CHICA PRISON WHOSE NAME HAS APPEARED  
TWICE ON THE RELEASE LISTS AND ONCE ON THE LIST OF PERSONS  
NEWLY DETAINED BY THE EXECUTIVE. THE BOY HIMSELF WAS NEVER  
INFORMED OF THE PUBLICATION OF ANY OF THE LISTS AND HIS STATUS  
AS A DETAINEE UNDER STATE OF SIEGE PROVISIONS HAS IN FACT  
REMAINED UNCHANGED FOR MORE THAN ONE YEAR.

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MINISTER OF DEFENSE TOLD ME THAT HEAVY ON THE COMBATS 2 HUMAN  
AVIATION (BELLER V) VANDERLINE OFFICERS ANNOUNCED V  
BUENOS VINES (BELLER E) AND VANDERLINE VAV EMBIT IN  
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TO SECSTATE WASHDC 1041

C O N F I D E N T I A L SECTION 2 OF 2 BUENOS AIRES 4638

4. THE INTERIOR MINISTRY STATEMENT THAT 667 SUBVERSIVE CASES HAVE BEEN REMANDED TO THE FEDERAL COURTS (WITH 327 SENTENCES PASSED) AND 305 CASES SENT TO SPECIAL MILITARY COURTS MARTIAL (WITH 158 SENTENCES HANDED DOWN) APPEARED IN PRESS.

(WITHOUT NAMES OR COMMENTARY. AS VERY FEW OF THESE TALKS AND SUBSEQUENT SENTENCING HAVE BEEN REPORTED IN THE PRESS OR INDEPENDENTLY CONFIRMED BY EMBOFFS, WE CANNOT COMMENT ON THE SIGNIFICANCE OF THE ANNOUNCEMENT.

5. PRESIDENT VIDELA'S REPORTED INSTRUCTIONS TO AUTHORITIES TO ANALYZE THE REINSTATEMENT OF THE SUSPENDED CONSTITUTIONAL OPTION FOR PERSONS BEING HELD UNDER STATE OF SIEGE PROVISIONS TO LEAVE THE COUNTRY RECALLS HIS EARLIER APPOINTMENT OF A COMMISSION CHAIRED BY INTERIOR MINISTER HARGUINDEGUY TO REVIEW THE SUSPENSION LAST APRIL. AS A RESULT OF THE COMMISSION'S DELIBERATIONS AT THAT TIME, LEGISLATION WAS PASSED TO EXTEND THE SUSPENSION FOR ANOTHER 150 DAYS BEGINNING MAY 1, 1977. IT IS NOT YET KNOWN WHETHER THE PRESIDENT'S STATEMENTS MEAN THE OPTION WILL BE CONSIDERED MORE FAVORABLY IN THE NEAR FUTURE OR WILL ACTUALLY BE REINSTITATED BEFORE THE PRESENT 150 DAYS SUSPENSION IS UP IN SEPTEMBER.

6. GOA SUSPENSION OF THE DISTRIBUTION, SALE, AND CIRCULATION OF THE MAY-JUNE CABILDO ISSUE NO. 8 WAS OF INTEREST. THE MAGAZINE

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WAS ACCUSED OF "PROPAGATING IDEOLOGICAL-RACIAL CONFLICT IN OPPOSITION TO THE NATION'S OBJECTIVES." THE DECREE FURTHER PROHIBITED THE PRINTING AND CIRCULATION OF THE JULY ISSUE AND "ANY OTHER THAT ATTEMPTS TO REPLACE IT." THE BAN DOES NOT, HOWEVER, AFFECT THE MAGAZINE'S ADMINISTRATIVE OR PUBLISHING CAPACITY BEYOND THE TWO ISSUES, AND THIS SHORT TERM SUSPENSION DOES LITTLE TO UNDO THE STRIDENT ANTI-SEMITIC RHETORIC OF THE APRIL CABILDO, ISSUE NO. 7. IT WAS THIS WHICH PROMPTED PROTESTS BY JEWISH GROUPS IN ARGENTINA AND OCCASIONED LOCAL AND INTERNATIONAL PRESS COMMENTARY (SEE BA 3370 AND 3631).

7. COMMENT: THIS FLURRY OF STATEMENTS TO THE PUBLIC ON HUMAN RIGHTS WAS UNDERTAKEN WITH THE SPECIFIC PURPOSE OF INFLUENCING THE U.S. VOTE ON TWO LARGE BANK LOANS OF PARTICULAR IMPORTANCE TO THIS COUNTRY. THE GOVERNMENT-INTERVIEWED LA OPINION ON JUNE 16 FLATLY STATED THAT THE GOVERNMENT'S RECENT ACTIONS WERE

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SIGNIFICANT MEASURES TO COUNTERACT ACCUSATIONS FROM ABROAD AND  
IMPROVE THE COUNTRY'S IMAGE OVERSEAS. (NO OTHER PAPER HAS  
COMMENTED EDITORIALY ON THE GOVERNMENT'S ANNOUNCEMENTS TO DATE.)  
OF INTEREST, IS WHETHER THIS INITIATIVE WAS NOTHING MORE THAN  
ARMED OVER STATISTICS AND SMOKESCREEN GESTURES OR WHETHER SOME  
NEW ELEMENT HAS BEEN ADDED TO ARGENTINE EFFORTS IN THIS FIELD.  
OUR CONCLUSION AFTER STUDYING THIS LATEST "EVIDENCE"--MUCH LIKE  
OUR INITIAL IMPRESSIONS REPORTED IN REF B--IS THAT THE  
INITIATIVE IS HOLLOW FROM THE SUBSTANTIVE SIDE, BUT INTERESTING  
AND ENCOURAGING IN WHAT IT DEMONSTRATES ABOUT RISING ARGENTINE  
BUREAUCRATIC SENSITIVITY CONCERNING THE SERIOUSNESS OF THE U.S. HUMAN  
RIGHTS POSITION.

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